

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DAVID E. LANHAM,

Plaintiff,

v.

Civil Action 2:10-cv-00041

Judge Edmund A. Sargus

Magistrate Judge E. A. Preston Deavers

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

This matter is before the Court for consideration of the January 6, 2011 Report and Recommendation of the Magistrate Judge. (Doc. # 13.) The Magistrate Judge recommended that the Court affirm the decision of the Commissioner of Social Security.

The Report and Recommendation of the Magistrate Judge specifically advises parties that the failure to object to the Report and Recommendation within fourteen days of the Report results in a “waiver of the right to *de novo* review . . . by the District Judge and waiver of the right to appeal the judgment of the District Court.” (Report and Recommendation 24, ECF No. 13.) The time period for filing objections to the Report and Recommendation has expired.¹ Plaintiff has not objected to the Report and Recommendation.

¹ The record reflects that Plaintiff was served with a copy of the Report and Recommendation on January 7, 2011. (ECF No. 14.)

The Court reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Accordingly, the Court **AFFIRMS** the decision of the Commissioner of Social Security.

IT IS SO ORDERED.

2-1-2011
DATED


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE